

HOUSE BILL 3734

By Fraley

AN ACT to amend Tennessee Code Annotated, Title 57,  
Chapter 2, Part 1, relative to assessing a barrel  
fee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-2-103, is amended by adding the following as a new subsection thereto:

(f)

(1) Any county, having a metropolitan form of government and a population less than one hundred thousand (100,000) according to the 2000 federal census or any subsequent federal census, approving the manufacture of intoxicating liquors and other intoxicating drinks pursuant to this section shall have the right and power, and such county authorities shall have the duty, to call and direct the county election commission to hold an election at any time, upon the filing and presentation of a petition bearing the genuine signatures of ten percent (10%) or more of the qualified voters of such county, based upon the number of votes cast in the last preceding presidential election in such county. Such petition shall be addressed to the county legislative body, and shall contain such language as to request, or to call upon the county legislative body, to call an election of the qualified voters of the county upon the question of whether to assess a fee upon the manufacturer of not more than ten dollars (\$10.00) per fifty gallon (50 gal.) barrel when initially filled with intoxicating liquor or other intoxicating drinks having an alcohol content greater than five percent (5%), with a proportionate fee being assessed for barrels having more or less capacity, within the boundaries of the county.

(2) Upon the adoption of a motion or resolution by the county legislative body directing the holding of an election, the county clerk shall file a certified copy of the motion or resolution with the county election commission.

(3) If a majority of the qualified votes cast in such election, in a county so holding an election, favors the assessment a fee of not more than ten dollars (\$10.00) per fifty gallon (50 gal.) barrel when initially filled with intoxicating liquor or other intoxicating drinks having an alcohol content greater than five percent (5%), in that event, it shall be lawful to assess the fee within the boundaries of such county.

(4) If the referendum is approved by a majority of the qualified votes cast in such election, any manufacturer required to pay the fee shall provide reports to the county property assessor by the tenth day of each month regarding the number and capacity of barrels filled during the previous month. Each manufacturer shall remit such fee to the county trustee on June 30 and December 31 each year. The June 30<sup>th</sup> payment shall be for barrels filled during the months of December through May and the December 31<sup>st</sup> payment shall be for barrels filled during the months of June through November. The county trustee shall deposit the fees in the general fund of the county.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.